

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Case No. 22-20552-Cr-DAMIAN/TORRES

UNITED STATES OF AMERICA

vs.

DAVID RIVERA and  
ESTHER NUHFER,

Defendants.

---

**ORDER GRANTING GOVERNMENT'S PETITION FOR COURT  
AUTHORIZATION TO PRODUCE DOCUMENTS IN RESPONSE TO  
SUBPOENA ISSUED IN PENDING CIVIL CASE**

This matter is before the Court upon the Government's Petition for Court Authorization to Produce Documents in Response to Subpoena Issued in Pending Civil Case [D.E. 162], that was referred for disposition. [D.E. 163]. No response has been filed in opposition such that the motion could be granted by default under S.D. Fla. Local R. 7.1.

In addition, the Court has reviewed the record and the good cause set forth in the motion, which review allows the Court to find that the motion should also be Granted on the merits. To that end, the Court relies on the Government's representations that the bulk of the contemplated production in response to this subpoena issued for a case pending in the Southern District of New York involves emails, text messages, and chat conversations from 2017 that involve the defendants and other third parties regarding the subject matter of the Superseding Indictment.

For the most part, these items include communications the government obtained through search warrants and other means and there are only a handful of responsive documents that the government received pursuant to subpoena. None of the documents were prepared in contemplation of the grand jury proceedings and none of them on their face reflect any secret aspects of what occurred in the grand jury room. Moreover, they are largely referenced, quoted, and/or cited in the initial Indictment and thus not subject to special protection by the Court's protective order entered in the case.

Accordingly, the Government has shown good cause for the Court to authorize the Government's production of documents responsive to the subpoena referenced in the motion. No finding is made in this Order that should be deemed prejudicial to Defendants for any purposes.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 9<sup>th</sup> day of May, 2024.



---

EDWIN G. TORRES  
Chief United States Magistrate Judge